



## **KANSAS HEALTH POLICY AUTHORITY**

### **BACKGROUND:**

■ KHPA is a quasi-independent unclassified agency created by the legislature in 2005, and led by a Board of Directors appointed by the Governor and legislative leadership.

■ KHPA is charged in statute with gathering and compiling a wide array of Kansas health related data that is used to guide policy development and inform the public. Additionally, KHPA is charged in statute with providing development of a statewide health policy agenda including health care and health promotion components.

### **Background:**

- During the 2008 legislative session two bills were proposed; SB 493 and SB 660
- SB 493 mandated public facilities to provide complete clean air; the bill stalled in the Senate Judiciary Committee
- SB 660 was immediately introduced following the defeat of SB 493; the bill was successfully passed out of the Senate Ways and Means Committee but the bill received no further action for the remainder of the session.

## **Statewide Clean Indoor Air Fact Sheet**

KHPA is dedicated to improving our health system, promoting healthy behaviors, managing chronic disease and working to insure more Kansans. Enactment of a Clean Indoor Air Law will help to further these goals. Research demonstrates that smoking and exposure to secondhand smoke can lead to significant health problems and premature death. Highlights from the *Tobacco Use in Kansas 2007 Status Report*, produced by the Kansas Department of Health and Environment (KDHE), help illustrate the seriousness of the problem to both our health and our economy. Among the findings included in the report:

### **IMPACT ON HEALTH:**

- **Second-hand smoke Costs lives.**
  - Tobacco use remains the most preventable cause of death and disease in the U.S. and in Kansas.
  - Close to 4,000 Kansans die every year from smoking-related diseases, including 290 deaths attributable to second-hand smoke.
  - The American Cancer Society estimates that approximately 87 percent of lung cancer deaths are caused by smoking and exposure to second hand smoke.
  - 54,000 youth are projected to die from smoking given this trend.
- **All workers deserve safe workplaces.**
  - More than one in four workers are NOT protected by worksite smoking policies in Kansas.
  - Non-smokers exposed to secondhand smoke at home or work increases their risk of developing lung cancer by 20 to 30 percent and heart disease by 25 to 30 percent.

### **IMPACT TO THE ECONOMY:**

- Kansans spend approximately \$927 million each year in smoking-attributable medical expenses, including an estimated \$196 million on smoking-attributable Medicaid expenses.
- Kansas also loses an estimated \$863 million each year in lost productivity from

an experienced workforce that dies prematurely.

- Additional costs occur each year in medical treatment and lost productivity as a result of exposure to secondhand smoke.

## **HOW CLEAN INDOOR AIR LAWS CAN REDUCE THE TOBACCO-RELATED DISEASE BURDEN:**

*Clean indoor air laws protect the population from the harmful impacts of second-hand smoke. Cigarette smoke contains over 4,000 chemicals and is a known carcinogen.*

- Evidence has shown that a clean indoor air ordinance will reduce the smoking rate among active smokers by 5%, a potential decrease of 18,500 smokers in Kansas (KDHE).
- Other studies indicate that clean indoor air laws have been shown to prompt some smokers to quit and others to cut back.
- At least 36 states, including neighboring states, have imposed restrictions on smoking in public places

## **PUBLIC OPINION:**

- In a Kansas Adult Tobacco Survey conducted in 2002-2003, 94% of those polled believe that secondhand smoke is harmful to health.
- 83% of Kansans believe smoking is a serious health hazard (Sunflower Foundation, 2007).
- In Kansas, around 20 cities/counties have adopted clean indoor air ordinances and several others are considering them.
- A recent poll indicated that 73% of Kansas adults favor such a state law or local ordinance.

## **NATIONAL FINDINGS:**

Other findings that confirm the negative impact smoking and exposure to secondhand smoke has on our health are:

- A 2006 Surgeon General's report notes that "the scientific evidence indicates there is no risk-free level of exposure to secondhand smoke."
- In the US, 126 million nonsmokers are exposed to secondhand smoke.
- Secondhand smoke results in 3,000 annual cancer deaths in the US and 35,000 deaths from heart disease.
- Exposure to cigarette smoke results in an increase of asthma attacks, infections of the lower respiratory tract in children under 18 months old, coughing and reduced lung function.
- Pregnant women are particularly susceptible to having low birth weight babies due to secondhand smoke exposure.

## **FREQUENTLY ASKED QUESTIONS:**

- ***Should state government set this policy?*** KHPA supports local ordinances that have been adopted in the absence of a statewide standard. However, a uniform policy must be enacted to ensure protection from secondhand smoke for all Kansans. A statewide policy would address the concern of business owners who believe that local control of smoke free policies results in an uneven playing field as businesses compete with other jurisdictions that may not have a smoke free policy in place. State government often takes the lead in pre-empting local control when public health is at stake.
- ***Will a statewide smoke free law have an economic impact on hospitality businesses?*** The data from other states and localities do not indicate a negative financial impact. The Surgeon General's 2006 Report examined several studies and concluded "smoke-free policies and regulations do not have an adverse economic impact on the hospitality industry." In a 2006 Zagat Survey of America's top restaurants, 58% of respondents stated they would dine out at the same frequency if restaurants were smoke free and 39% indicated they would dine out more frequently if smoke-free. Only 3% claimed they would dine out less often. Again, a statewide, uniform standard helps businesses attract clientele.
- ***Are smoke free policies an infringement on individual rights?*** An absence of a smoke free policy is an infringement on the rights of 80% of the population that does not smoke. Research confirms that there are health consequences to secondhand smoke exposure. Workers and the general public should be allowed to work and gather in places without taking on the risk of secondhand smoke. Seventy-six percent of white collar workers already enjoy protection from secondhand smoke, but only 52% of blue collar workers get the same consideration.

## **Research on Clean Indoor Air Laws**

### **Health**

- In Pueblo, Colorado, a 2006 study found that a clean indoor air ordinance that reduced exposure to secondhand smoke was associated with a 27 percent decrease in heart attacks in hospitalizations.
- In Scotland, a 2008 study found that the number of admissions for heart disease decreased from 3,235 to 2,684 – a 17 percent reduction, after one year of a nationwide indoor smoking ban.

### **Business Revenues**

- On March 30, 2003, New York passed one of the strongest clean indoor air ordinances in the country. One year after the law went into effect, tax receipts increased by 8.7%, or approximately \$1.4 million. There was no evidence of restaurants closing as a result of the ordinance and the rate of restaurant openings remained unchanged. 234 more liquor licenses were issued to the city's restaurant and bar establishments in 2003 than in 2002.
- In North Carolina researchers compared the impact of clean indoor air ordinances on restaurant sales in 10 counties – 5 with clean indoor air ordinances and 5 without – and concluded there were no differences in restaurant sales among the 10 counties after the ordinances took effect.
- Over the years, many studies have reached the same conclusions – that clean indoor air laws do not harm restaurant sales. The studies looked at clean indoor air ordinances from different parts of the country during different economic cycles. Communities included those in California, New York, Massachusetts, Texas, Arizona, Indiana, Wisconsin, Florida, Maryland, and Kentucky.
- Clean indoor air laws may increase the resale value of businesses. Clean indoor air restaurants in California and Utah had a 16% median, or \$15,300, increase in sale price compared to restaurants in communities where smoking was permitted.
- In Ireland (2004), the first country to pass such a ban, researchers found an 11% increase in the number of customers who visited Dublin pubs after the ban.
- In 15 California and Colorado communities (between 1985-1992), researchers found no evidence that the ordinances had a negative impact on the restaurant business.
- In New York City (1995), researchers found that there was an 18% rise in restaurant employment in NYC (compared with the rest of the state, that had a 5% increase). Additionally:
  - There was also employment growth in surrounding counties.
  - Hotel revenues and employment rose in the year following the ban.
- In Lexington-Fayette county (2004), researchers found that employment in restaurants rose significantly while bar employment was unchanged.
- A 2003 literature review reports that all of the studies concluding that smoke-free policies had a negative impact were supported by the tobacco industry and that the overwhelming majority (94%) of industry-sponsored studies reached this conclusion.